

App. F. IX-4]

Previous References.

(1941.)

7  
x Cg's

File No. 2-4

Serial Nos. 6

Later References.

(23)

## GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

re only

Part B for

SUBJECT.

Amendments to the Defence of India Rules.

To

WD 03999—GPB—500—11-9-41

The Compiler Mysore Gazette

Re 1280 Legis 2-41-69 dated 20.1.42

Forward the copy of the notification

re

for  
Re publication in the G.

# Amendments to the Defence of India Rules

General and Revenue  
Secretariat  
R. A. & L. C.

File No.

of 194

App. F. III-2

607 / R.L.

Serial  
No.

Firm

The Secretary to the Hon'ble The Resident in Mysore  
Letter No. F. 3-40(5)/W dated 8<sup>th</sup> Jan 1942  
17<sup>th</sup> Jan 1942, 17<sup>th</sup> Jan 1942 and 19<sup>th</sup> Jan 1942  
Forwarding copies of Notifications by the Govt  
of India, Defence Co-ordination Department  
regarding amendments to the Defence of India  
Rules

The Residency have forwarded copies of  
Notifications by the Govt. of India, Defence Co-  
ordination Department, regarding amend-  
ments to Defence of India Rules.

The proposed amendments are: -

1) After rule 62 B of the Defence of India  
Rules, rule 62 C "Provisioning of vessels" shall be inserted

2) In clause (b) of sub-rule (2 a) of rule  
76 of the said Rules, for the words "dispose  
such building, part of a building, or other  
premises, or" the words "dispose of or  
structurally alter such building, part of  
a building, or other premises, or dispose" shall  
be substituted

As usual they may be republished in the  
Gazette of Mysore for general information

A draft Notification is put up for approval  
Submitted

NOTE—Contn. Sheet.

21.  
12-1-42  
12-1-42

X: P.U.D.

File No.

607/11

of 194

General and Revenue  
Secretariat  
R. A. & L. C.

Serial  
No.

The draft notification may be  
approved.

Sms

13.1.42

Law Secy)

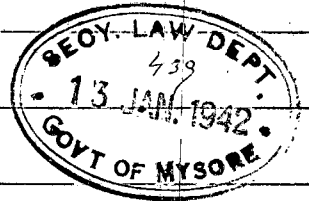
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2  
6.1.42

Issue

Sms

16.1.42



The amendments  
received subsequently  
may be included  
also. Sms

To  
The Compiler, Mysore Gazette

Issued No B. 1280 Legis 2-41-69 dated 20-1-42

Forwards copies of the Notifications of the Govt of  
India, Defence co-ordination Department for  
republishing.

OFFICE OF THE SECRETARY  
7 FEB 1942  
REPRESENTATIVE COUNCIL  
AND  
LEGISLATIVE COUNCIL

Appeared in part IV of Mysore Gazette dated 17<sup>th</sup> Jan 1942  
20

607/M

FROM

THE SECRETARY

TO THE HON'BLE THE RESIDENT IN MYSORE.

OFFICE OF THE SECRETARY  
Mr. T.V.  
TO  
LEGISLATIVE ASSEMBLY

The Chief Secretary to the Government of  
His Highness the Maharaja of Mysore,  
Bangalore.

MEMORANDUM No. F.3-40(5)/W.

Dated Bangalore, the 8<sup>th</sup> January 1942

War  
JUL 8  
8. JAN. 1942  
GOVT. OF MYSORE

Amendments to the Defence of  
India Rules.

Attention is invited to notifications  
by the Government of India, Defence Co-ordination  
Department, Nos.981-DR/41 and 1164-OR/41, dated  
the 20th December 1941, copies of which are  
enclosed.

Chaman Kumar  
for SECRETARY TO THE RESIDENT.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40(5)/W, dated Bangalore, the 5th January 1942.

The following notifications of the Government of India, Defence Co-ordination Department, Nos. 981-DR/41 and 1164-OR/41, dated the 20th December 1941, are republished.

P. M. RAMAN NAYAR,  
*for Secretary to the Resident.*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

*New Delhi, the 20th December 1941.*

**No. 981-DR/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 62B of the said Rules, the following rule shall be inserted, namely :—

“62C. *Provisioning of vessels.*—(1) The Central Government may for the purpose of securing the defence of British India, the public safety, the efficient prosecution of war or for maintaining supplies and services essential to the life of the community, by general or special order make provision for requiring any

(a) vessel proceeding to sea from a port in British India on a voyage to any port in India, Burma or Ceylon,

(b) vessel registered in British India proceeding to sea from any port,

to have on board such emergency rations as may be specified in the order.

(2) Any provisions of an order under sub-rule (1) may be framed so as to apply to any specified class of such vessels and so as to apply to any such vessel while engaged in such trades as may be specified in the order.

(3) If any vessel proceeds or attempts to proceed to sea without complying with an order under sub-rule (1) or if otherwise there is any contravention of such an order in the case of a vessel, the master of the vessel and the owner or other person having the management thereof shall each be punishable with imprisonment for a term which may extend to six months or with fine or with both.”

A. DEC. WILLIAMS,  
*Secretary to the Government of India*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

*New Delhi, the 20th December 1941.*

**No. 1164-OR/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In clause (b) of sub-rule (2a) of rule 76 of the said Rules, for the words “dispose of such building, part of a building, or other premises, or” the words “dispose of or structurally alter such building, part of a building, or other premises, or dispose” shall be substituted.

A. DEC. WILLIAMS,  
*Secretary to the Government of India.*

5 631/2 Ref 1283  
FROM

THE SECRETARY

TO THE HON'BLE THE RESIDENT IN MYSORE.

To



The Chief Secretary to the Government of  
His Highness the Maharaja of Mysore,  
Bangalore.

MEMORANDUM No. F.3-40(5)/W.

Dated Bangalore, the 17<sup>th</sup> January 1942.

Amendments to the Defence of  
India Rules.

Attention is invited to notifications

by the Government of India, Defence Co-ordination  
Department Nos.882-SM/41 and 1174-OR/41, dated  
the 23rd December 1941, and No.1153-SM/41, dated  
the 24th December 1941, copies of which are  
enclosed.

*S. S. Srinivas*

for SECRETARY TO THE RESIDENT.

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40 (5)/W, dated Bangalore, the 8th January 1942.

The following notifications of the Government of India, Defence Co-ordination Department, Nos. 882-SM/41 and 1174-OR/41, dated the 23rd December 1941 and No. 1153-SM/41, dated the 24th December 1941, are republished.

P. M. RAMAN NAYAR,  
*for Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

*New Delhi, the 23rd December 1941.*

**No. 882-SM/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

After rule 120 of the said Rules, the following rules shall be inserted, namely :—

**“ 120A. Succession to offices under Central Government.**—(1) If the authority competent to make appointments to an office in connection with the affairs of the Central Government considers it necessary or expedient to make provision under this rule for an automatic succession to that office, that authority may maintain at such place or places as it thinks fit a list (hereinafter referred to as “the succession list”) of persons authorised to assume the duties of the office under this rule.

(2) If the person holding an office in respect of which a succession list is maintained under sub-rule (1) dies or is for any reason unable to perform the duties of the office, the first of the persons named in the succession list who survives and is available shall assume the duties of the office and shall thereupon be deemed, for the purpose of any law for the time being in force including this rule, to have been duly appointed to the office.

**120B. Emergency appointments to offices under Provincial Government.**—(1) In this rule, “District Magistrate” includes an officer exercising the powers, and performing the duties, of the District Magistrate by virtue of section 11 of the Code of Criminal Procedure, 1898.

(2) If in any district an officer serving in connection with the affairs of the Province dies or is for any reason unable to perform the duties of his office and the District Magistrate is satisfied that a reference to the authority competent to make appointments to the office is by reason of military operations or other special circumstances affecting the Province likely to cause undue delay, the District Magistrate may appoint to the office any person who is already in the service of the Crown and such person shall be deemed, for the purpose of any law for the time being in force including this rule, to have been duly appointed to the office:

Provided that nothing in this rule shall apply to any office in respect of appointments to which special provision is made by or under any section of the Government of India Act, 1935, other than section 241.

A. DE C. WILLIAMS,  
*Secretary to the Government of India.*

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATION.

*New Delhi, the 23rd December 1941.*

**No. 1174-OR/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In sub-rule (2) of rule 89 of the said Rules, after clause (g) the following clause shall be inserted, namely :—

**“ (gg) provide for prohibiting or restricting the carriage of persons or goods by any vehicle, or class of vehicles either generally or between any particular places or on any particular route.”**

A. DE C. WILLIAMS,  
*Secretary to the Government of India.*

DEFENCE CO-ORDINATION DEPARTMENT

NOTIFICATION.

*New Delhi, the 24th December 1941.*

No. 1153-SM/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely:—

In sub-rule (1) of rule 49 of the said Rules, after clause (a) the following clause shall be inserted, namely:—

- (aa) all persons of any class of persons in the said area shall remain therein for such period as may be specified;”.

A. DE C. WILLIAMS,

*Secretary to the Government of India.*

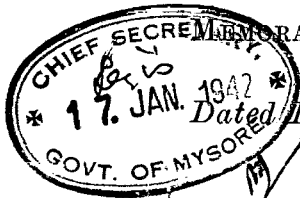
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OFFICE OF THE SECRETARY  
16 JAN 1942

THE SECRETARY

TO THE HON'BLE THE RESIDENT IN MYSORE.

REPRESENTATIVE ASSEMBLY AND LEGISLATIVE COUNCIL  
The Chief Secretary to the Government of  
His Highness the Maharaja of Mysore,  
Bangalore.



MEMORANDUM No. F.3-40(5)/W.

Bangalore, the 17<sup>th</sup> January 1942.

Amendments to the Defence of  
India Rules.

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Attention is invited to notifications  
by the Government of India, Defence Co-ordination  
Department, Nos.713-OR/41 and 872-SM/41, dated  
the 2nd January 1942, copies of which are enclosed.

*M. S. An. Kumar*

for SECRETARY TO THE RESIDENT.

*bb*

THE HON'BLE THE RESIDENT IN MYSORE.

NOTIFICATION.

No. F. 3-40(5)/W, dated Bangalore, the 12th January 1942.

The following notifications of the Government of India, Defence Co-ordination Department, Nos. 713-OR/41 and 872-SM/41, dated the 2nd January 1942, are republished.

P. M. RAMAN NAYAR,  
for *Secretary to the Resident.*

GOVERNMENT OF INDIA.

DEFENCE CO-ORDINATION DEPARTMENT.

NOTIFICATIONS.

*New Delhi, the 2nd January 1942.*

**No. 713-OR/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules,—

(1) after sub-rule (1) of rule 51A, the following sub-rule shall be inserted, namely :—

“(1A) An order under sub-rule (1) shall entitle any person required thereby to be present on premises to which the order applies to have access to those premises for the purpose of complying with the order notwithstanding that the premises would not otherwise be open to the public, and anyone who obstructs access thereto by any such person for that purpose shall be deemed to contravene the provisions of the order.”;

(2) in sub-rule (1) of rule 51B, after the words “facilitating the” the words “detection and” shall be inserted.

**No. 872-SM/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules,—

I. After rule 59, the following rules shall be inserted, namely :—

“59A. *Powers to require the assistance of certain persons.*—(1) Any officer of Government authorised in this behalf by general or special order of the Provincial Government may, within such area as may be specified in the order, require any male person in that area to assist in the maintenance or restoration of law and order or in the protection of property for such period and in such manner as the officer may direct.

(2) If any person fails to comply with any lawful direction given to him under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

59B. *Power to appoint special police officers.*—A District Magistrate, a Sub-divisional Magistrate, any police officer not below the rank of Deputy Superintendent, or any other officer of Government authorised in this behalf by the Provincial Government may by order appoint persons to act as special police officers for such time and within such limits as may be specified in the order; and every person so appointed shall have the same powers, privileges and protection, shall be liable to perform the same duties and amenable to the same penalties, and shall subordinate to the same authorities as the ordinary officers of police within those limits”.

II. In sub-rule (1) of rule 78, after the words “of this rule”, the words, figures and letter “and of rule 78A” shall be inserted.

III. After rule 78, the following rule shall be inserted, namely :—

“78A. *Power to require certain persons to do work.*—(1) Any officer of Government authorised in this behalf by general or special order of the Provincial Government may, within such area as may be specified in the order, require any male person in that area to assist in

one doing or work on land for such period and in such manner as the officer may direct, being work the doing of which is in the opinion of the officer necessary to meet an actual or apprehended attack, or to repair or reduce the damage resulting therefrom or to facilitate offensive or defensive operations in the area.

(2) Any person doing work in compliance with any direction under sub-rule (1) shall be paid such remuneration for doing the work as the officer giving the direction may determine.

(3) If any person fails to comply with any lawful direction given to him under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both."

IV. In rule 128, after the figures "57", the figures and letter "59A", and after the figures "78", the figures and letter "78A", shall be inserted.

A. DEC. WILLIAMS,  
*Secretary to the Government of India*

Ref 1304

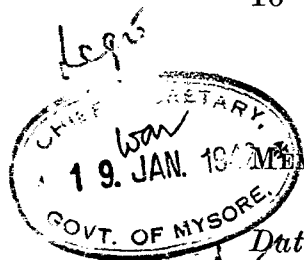
FROM

THE SECRETARY

TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of  
His Highness the Maharaja of Mysore,  
Bangalore.



MEMORANDUM No. F.3-40(5)/W.

Dated Bangalore, the 19<sup>th</sup> January 1942.

Powers of control over local  
authorities for defence purposes -  
Amendments to the Defence of  
India Rules.

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Attention is invited to notification  
by the Government of India, Defence Co-ordination  
Department, No.871-SM/41, dated the 18th  
December 1941, a copy of which is enclosed.

*M. S. S. S. S.*

for SECRETARY TO THE RESIDENT.

*See*

**THE HON'BLE THE RESIDENT IN MYSORE**  
**NOTIFICATION.**

No. F. 3-10(5)/W, dated Bangalore, the 13th January 1942.

The following notification of the Government of India, Defence Co-ordination Department, No. 871-SM/41, dated the 18th December 1941, is republished.

P. M. RAMAN NAYAR,  
*for Secretary to the Resident.*

**GOVERNMENT OF INDIA.**  
**DEFENCE CO-ORDINATION DEPARTMENT.**  
**NOTIFICATION.**

*New Delhi, the 18th December 1941.*

**No. 871-SM/41.**—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In rule 51F of the said Rules—

(i) in sub-rule (4) for the words “ may cause such measures to be taken or completed, and direct that the cost thereof shall be defrayed out of the funds of the local authority ”, the following shall be substituted, namely :—

“ may authorise any person to take or complete the said measures ; and any person so authorised may, for the purpose of taking or completing the said measures, exercise all or any of the powers of the local authority or of its officers, issue such directions as he thinks fit to the officers or servants of the local authority and employ any outside agency, and all charges and expenses incurred by him shall, except to such extent, if any, as the appropriate Government may direct to be paid out of its revenues, be paid out of the funds of the local authority.”

(ii) after sub-rule (4), the following sub-rules shall be added, namely :—

“ (5) The appropriate Government may, if it considers it necessary or expedient so to do, by order authorise any person to take over from a local authority and administer in accordance with such directions as may be issued from time to time by that Government such of the services of the local authority as may be specified in the order ; and any person so authorised may, for the purpose of administering the said services, exercise all or any of the powers of the local authority or of its officers, issue such directions as he thinks fit to the officers or servants of the local authority and employ any outside agency, and all charges and expenses incurred by him shall, except to such extent, if any, as the appropriate Government may direct to be paid out of its revenues, be paid out of the funds of the local authority.

(6) If the appropriate Government is of opinion that any local authority has failed to comply, or has delayed in complying, with any order made under sub-rule (3), or that it is necessary or expedient so to do for ensuring the due maintenance of the vital services of the authority in the event of hostile attack, the appropriate Government may by order supersede the local authority for such period as may be specified in the order.

(7) When an order of supersession has been made under sub-rule (6)—

(a) all the members of the local authority shall, as from the date of supersession, vacate their offices as such members ;

(b) all the powers and duties which may, by or under any law for the time being in force, be exercised or performed by or on behalf of the local authority shall, during the period of supersession, be exercised and performed by such person or persons as the appropriate Government may direct ;

(c) all property vested in the local authority shall, during the period of supersession, vest in the appropriate Government.

(8) On the expiration of the period of supersession specified in the order under sub-rule (6), the appropriate Government may—

(a) extend the period for such further term as it may consider necessary ;

(b) by order direct that the local authority shall be re-constituted in the manner provided for the constitution of the authority by or under the ordinary law relating thereto, and in such case any persons who vacated their offices under clause (a) of sub-rule (7) shall not be deemed disqualified for election, appointment or nomination ; or

(c) by order direct that the local authority shall be re-constituted by the persons who vacated their offices under clause (a) of sub-rule (7) and shall recommence functioning as if it had not been superseded :

Provided that the appropriate Government may at any time before the expiration of the period of supersession whether as originally specified under sub-rule (6) or as extended under this sub-rule take action under clause (b) or clause (c) of this sub-rule.”

A. DEC. WILLIAMS,  
*Secretary to the Government of India.*

SUBJECT.....

123

Section. *Legis*

File No. 2-41.

Serial No. 69

No. R.L. 1280.

Diary No. of letter replied to .....

To The Compiler, Mysore Gazette.  
Notifications

General and Revenue Secretariat  
R. A. & L. C.

( )

The following Notifications of

Government of India, Defence  
Co-ordination Department, are  
hereby republished for general  
information

Date of issue ..... 20.1.42 .....

Signed by ... *M. H. V. Narayana Rao* ...

List of enclosures ..... *7* ...

Copied by .....

Examined by .....

*M.*  
12.1.42

By order

*Hu*  
16.1.42

*on* Secy to Govt

*Law Depo*  
12.1.42

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No.

Dated Bangalore 17th January 1942.

Notification.

The following Notifications of the Government of India, Defence Co-ordination Department, are hereby republished for general information.

By Order,

*BRR*

For Secretary to Government,  
Law Department.

*W.*

SRR

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

No.

Dated Bangalore 17th January 1942.

Notification.

The following Notifications of the Government of India, Defence Co-ordination Department, are hereby republished for general information.

By Order,

*BKRamaprasanna*  
Secretary to Government,  
Law Department.

*W.*

SRR

## NOTIFICATION

*No. Rl. 1280—Legis. 2-41-69, dated Bangalore,  
the 17—20th January 1942.*

The following Notifications of the Government of India, Defence Co-ordination Department, are hereby republished for general information.

By Order,

H. V. NARAYANA RAO,  
*Secretary to Government,  
Law Department.*

## GOVERNMENT OF INDIA.

### DEFENCE CO-ORDINATION DEPARTMENT.

#### NOTIFICATION.

*New Delhi, the 18th December 1941.*

No. 871-SM/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In rule 51 F of the said Rules—

(i) In sub-rule (4) for the words “ may cause such measures to be taken or completed, and direct that the cost thereof shall be defrayed out of the funds of the local authority ”, the following shall be substituted namely :—

“ may authorise any person to take or complete the said measures; and any person so authorised may, for the purpose of taking or completing the said measures exercise all or any of the powers of the local authority or of its officers, issue such directions as he thinks fit to the officers or servants of the local authority and employ any outside agency, and all charges and expenses incurred by him shall, except to such extent, if any, as the appropriate Government may direct to be paid out of its revenues, be paid out of the funds of the local authority.”

(ii) After sub-rule (4), the following sub-rules shall be added, namely

“(5) The appropriate Government may, if it considers it necessary or expedient so to do, by order authorise any person to take over from a local authority and administer in accordance with such directions as may be issued from time to time by that Government such of the services of the local authority as may be specified in the order; and any person so authorised may, for the purpose of administering the said services, exercise all or any of the powers of the local authority or of its officers, issue such directions as he thinks fit to the officers or servants of the local authority and employ any outside agency, and all charges and expenses incurred by him shall, except to such extent, if any, as the appropriate Government may direct to be paid out of its revenues, be paid out of the funds of the local authority.

(6) If the appropriate Government is of opinion that any local authority has failed to comply, or has delayed in complying, with any order made under sub-rule (3), or that it is necessary or expedient so to do for ensuring the due maintenance of the vital services of the authority in the event of hostile attack, the appropriate Government may by order supersede the local authority for such period as may be specified in the order.

(7) When an order of supersession has been made under sub-rule (6)—

- (a) all the members of the local authority shall, as from the date of supersession, vacate their offices as such members;
- (b) all the powers and duties which may, by or under any law for the time being in force, be exercised or performed by or on behalf of the local authority shall, during the period of supersession be, exercised and performed by such person or persons as the appropriate Government may direct;
- (c) all property vested in the local authority shall, during the period of supersession, vest in the appropriate Government.

(8) On the expiration of the period of supersession specified in the order under sub-rule (6), the appropriate Government may—

- (a) extend the period for such further term as it may consider necessary;
- (b) by order direct that the local authority shall be reconstituted in the manner provided for the constitution of the authority by or under the ordinary law relating thereto, and in such case any persons who vested their offices under clause (a) of sub-rule (7) shall not be deemed disqualified for election, appointment or nomination ; or
- (c) by order direct that the local authority shall be reconstituted by the persons who vacated their offices under clause (a) of sub-rule (7) and shall recommence functioning as if it had not been superseded :

Provided that the appropriate Government may at any time before the expiration of the period of supersession whether as originally specified under sub-rule (6) or as extended under this sub-rule take action under clause (b) or clause (c) of this sub-rule."

A. DEC. Williams,  
Secretary to the Government of India.

### NOTIFICATION.

*New Delhi, the 20th December 1941.*

No. 981-DR/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

After rule 62B of the said Rules, the following rule shall be inserted, namely :—

"62C. *Provisioning of Vessels.*—(1) The Central Government may for the purpose of securing the defence of British India, the public safety, the efficient prosecution of war or for maintaining supplies and services essential to the life of the community, by general or special order make provision for requiring any—

- (a) vessel proceeding to sea from a port in British India on a voyage to any port in India, Burma or Ceylon,

(b) vessel registered in British India proceeding to sea from any port,

to have on board such emergency rations as may be specified in the order.

(2) Any provisions of an order under sub-rule (1) may be framed so as to apply to any specified class of such vessels and so as to apply to any such vessel while engaged in such trades as may be specified in the order.

(3) If any vessel proceeds or attempts to proceed to sea without complying with an order under sub-rule (1) or if otherwise there is any contravention of such an order in the case of a vessel, the master of the vessel and the owner or other person having the management thereof shall each be punishable with imprisonment for a term which may extend to six months or with fine or with both."

A. DEC. Williams,

Secretary to the Government of India.

#### NOTIFICATION.

*New Delhi, the 20th December 1941.*

No. 1164-OR/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely:—

In clause (b) of sub-rule (2a) of rule 76 of the said Rules, for the words "dispose of such building, part of a building, or other premises, or" the words "dispose of or structurally alter such building, part of a building, or other premises, or dispose" shall be substituted.

A. DEC. Williams,

Secretary to the Government of India.

#### NOTIFICATION.

*New Delhi, the 23rd December 1941.*

No. 882-SM/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that

the following further amendments shall be made in the Defence of India Rules, namely :—

After rule 120 of the said Rules, the following rules shall be inserted, namely :—

“120 A. *Succession to Offices under Central Government.*—(1) If the authority competent to make appointments to an office in connection with the affairs of the Central Government considers it necessary or expedient to make provision under this rule for an automatic succession to that office, that authority may maintain at such place or places as it thinks fit a list (hereinafter referred to as “the succession list”) of persons authorised to assume the duties of the office under this rule.

(2) If the person holding an office in respect of which a succession list is maintained under sub-rule (1) dies or is for any reason unable to perform the duties of the office, the first of the persons named in the succession list who survives and is available shall assume the duties of the office and shall thereupon be deemed, for the purpose of any law for the time being in force including this rule, to have been duly appointed to the office.

120 B. *Emergency Appointments to Offices under Provincial Government.*—(1) In this rule, “District Magistrate” includes an officer exercising the powers, and performing the duties of the District Magistrate by virtue of section 11 of the Code of Criminal Procedure, 1898.

(2) If in any district an officer serving in connection with the affairs of the Province dies or is for any reason unable to perform the duties of his office and the District Magistrate is satisfied that a reference to the authority competent to make appointments to the office is by reason of military operations or other special circumstances affecting the Province likely to cause undue delay, the District Magistrate may appoint to the office any person who is already in the service of the Crown and such person shall be deemed, for the purpose of any law for the time being in force including this rule, to have been duly appointed to the office :

Provided that nothing in this rule shall apply to any office in respect of appointments to which special provision is made by or under any section of the Government of India Act, 1935, other than section 241.”

A. DEC. Williams,  
Secretary to the Government of India.

## NOTIFICATION.

*New Delhi, the 23rd December 1941.*

No. 1174-OR/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendment shall be made in the Defence of India Rules, namely :—

In sub-rule (2) of rule 89 of the said Rules, after clause (g) the following clause shall be inserted, namely :—

“(gg) provide for prohibiting or restricting the carriage of persons or goods by any vehicle, or class of vehicles either generally or between any particular places or on any particular route.”

A. DEC. Williams,  
Secretary to the Government of India.

## NOTIFICATION.

*New Delhi, the 24th December 1941.*

No. 1153-S.M./41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In sub-rule (1) of rule 49 of the said Rules, after clause (a) the following clause shall be inserted, namely :—

“(aa) all persons of any class or persons in the said area shall remain therein for such period as may be specified ;”

A. DEC. WILLIAMS,  
Secretary to the Government of India.

## NOTIFICATION.

*New Delhi, the 2nd January 1942.*

No. 713-OR/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that

the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules—

(1) after sub-rule (1) of rule 51A, the following sub-rule shall be inserted, namely :—

“(1A) An order under sub-rule (1) shall entitle any person required thereby to be present on premises to which the order applies to have access to those premises for the purpose of complying with the order notwithstanding that the premises would not otherwise be open to the public, and anyone who obstructs access thereto by any such person for that purpose shall be deemed to contravene the provisions of the order.”;

(2) in sub-rule (1) of rule 51B, after the words “facilitating the” the words “detection and” shall be inserted.

No. 872-SM/41.—In exercise of the powers conferred by section 2 of the Defence of India Act, 1939 (XXXV of 1939), the Central Government is pleased to direct that the following further amendments shall be made in the Defence of India Rules, namely :—

In the said Rules,—

I. After rule 59 the following rules shall be inserted, namely :—

“59A. *Powers to require the Assistance of certain Persons.*—(1) Any officer of Government authorised in this behalf by general or special order of the Provincial Government may, within such area as may be specified in the order, require any male person in that area to assist in the maintenance or restoration of law and order or in the protection of property for such period and in such manner as the officer may direct.

(2) If any person fails to comply with any lawful direction given to him under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both.

59B. *Power to appoint Special Police Officers.*—A District Magistrate, a Sub-divisional Magistrate, any police officer not below the rank of Deputy Superintendent, or any other officer of Government authorised in this behalf by the Provincial Government may by order appoint

persons to act as special police officers for such time and within such limits as may be specified in the order; and every person so appointed shall have the same powers, privileges and protection, shall be liable to perform the same duties and amenable to the same penalties, and shall subordinate to the same authorities as the ordinary officers of police within those limits."

II. In sub-rule (1), of rule 78, after the words "of this rule", the words, figures and letter "and of rule 78A" shall be inserted.

III. After rule 78, the following rule shall be inserted, namely :—

"78A. *Power to require certain persons to do work.*—(1) Any officer of Government authorised in this behalf by general or special order of the Provincial Government may, within such area as may be specified in the order, require any male person in that area to assist in the doing of work on land for such period and in such manner as the officer may direct, being work the doing of which is in the opinion of the officer necessary to meet an actual or apprehended attack, or to repair or reduce the damage resulting therefrom or to facilitate offensive or defensive operations in the area.

(2) Any person doing work in compliance with any direction under sub-rule (1) shall be paid such remuneration for doing the work as the officer giving the direction may determine.

(3) If any person fails to comply with any lawful direction given to him under sub-rule (1), he shall be punishable with imprisonment for a term which may extend to six months or with fine or with both."

IV. In rule 128, after the figures "57" the figures and letter "59A", and after the figures "78", the figures and letter "78A", shall be inserted.

A. DEC. Williams,  
Secretary to the Government of India.